

FILED

NOV 05 2013

RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

IN RE LAURINCE O'SHEIGH
SIMPSON,

Plaintiff.

No. C 13-03348 EJD (PR)

ORDER GRANTING EXTENSION
OF TIME TO FILE COMPLAINT TO
REOPEN THIS ACTION

On October 17, 2013, the Court dismissed the instant civil rights action without prejudice for Plaintiff's failure to file a complaint, and a judgment of dismissal without prejudice was entered. (Docket Nos. 12 & 13.)

It has recently come to the Court's attention that Plaintiff filed a letter stating "Extenuating Circumstance affecting Filing-Deadline Compliance." (Docket No. 15.) Plaintiff asserts that the suspension of normal program activity, including access to the prison's law library, adversely impacted his ability to file a timely complaint. (*Id.*)

In the interest of justice, the Court will provide Plaintiff an opportunity to move to reopen this action **within twenty-eight (28) days** from the date this order is filed. In that time, Plaintiff must file a proper complaint using the court's form complaint and a motion to reopen this action. If Plaintiff fails to do so in the time provided, this action shall remain closed.

1 The Clerk shall enclose two copies of the court's form complaint with a copy of
2 this order to Plaintiff.

3
4 DATED: _____

11/4/13



EDWARD J. DAVILA
United States District Judge

UNITED STATES DISTRICT COURT
FOR THE
NORTHERN DISTRICT OF CALIFORNIA

IN RE LAURINE O'SHEIGH SIMPSON,
Plaintiff.

Case Number: CV13-03348 EJD

CERTIFICATE OF SERVICE

_____/

I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California.

That on 11/05/13, I SERVED a true and correct copy(ies) of the attached, by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located in the Clerk's office.

Laurine O'Sheigh Simpson E08430
Correctional Training Facility-North State Prison
P.O. Box 705
Soledad, CA 93960-0705

Dated: 11/05/13

Richard W. Wieking, Clerk
By:  Elizabeth Garcia, Deputy Clerk